



**CONCORDIA UNIVERSITY STUDENTS' ASSOCIATION**

**SPECIAL MEETING**

**OF THE BOARD OF DIRECTORS**

**HELD ON WEDNESDAY, JANUARY 19, 1994 AT 6:00 P.M.**

**IN H-769, SIR GEORGE WILLIAMS CAMPUS**

CONCORDIA

UNIVERSITY

STUDENTS'

ASSOCIATION

ASSOCIATION

DES ÉTUDIANTS

ET ÉTUDIANTES

DE L'UNIVERSITÉ

CONCORDIA

**1.0 CALL TO ORDER**

Acting chairperson Marika Giles called this meeting to order at 6:00 p.m. The chair stated that she must leave by 7:00 p.m., strongly recommending that another chairperson be decided upon at some point during the meeting.

**2.0 ROLL CALL**

**PRESENT**

**CO-PRESIDENTS**

Philip Dalton

Lana Grimes

**COMMERCE**

Kristina Bolh (7:00)

Andrea Fernandez

**FINE ARTS**

Jonathan Carruthers

**ENGINEERING**

Shadi Khader

Andrew Kennedy

Len Podgurny

**ARTS AND SCIENCE**

Nada Al-Yazdi (8:00)

Pascale Batchoun

Ken Blackburn (6:15)

Helen Ora Cohen

Allan Feldman

Genevieve Grenier

Ken McMurray

Laurie Nicholson

Christine Viera

**ABSENT**

Arts and Science: Maha Asfour, Marilyne Boyer, Wissam Jawad, Shafik Mina (w/r),  
Thomas Moll, Stacy Schacter  
Commerce: Marc Fares, Emmanuel Kamukama  
Fine Arts: Jonathan Asencio, Aimee Darcel(w/r)

**3.0 APPROVAL OF AGENDA**

**BE IT RESOLVED THAT the agenda of the special meeting be approved.**

Moved by: Ken McMurray  
Seconded by: Philip Dalton

The chair asked if there was any discussion of the agenda.

P. Dalton asked if the minutes of the 149th meeting held on 04/11/93 and the Special meeting held on 24/11/93 had been approved. General consensus held that they had been approved.

L. Podgurny asked if the minutes from the 151st meeting could be approved. It was stated that approval of the minutes of the 151st meeting was not on the agenda.

The chair asked if there were any objections to amending the agenda to include the approval of the minutes of the 151st meeting held on 02/12/93. There were no objections. The chair asked if there was any further discussion of the agenda.

L. Podgurny asked if there was a motion to recognize Students Associated for Muslim Awareness. L. Grimes replied that all her motions will be oral.

**VOTE ON MOTION UNANIMOUS**

**4.0 APPROVAL OF MINUTES**

**BE IT RESOLVED THAT the minutes of the 151st meeting be approved.**

Moved by: L. Podgurny  
Seconded by: H. O. Cohen

L. Podgurny stated that he wished the tape of the 151st meeting checked as he was unsure if his comment on page five (5) regarding academic and social groups was recorded accurately.

P. Dalton stated that he felt his comment on page seven (7) of the minutes of the 151st meeting regarding the financial situation of CUSA was more elaborate than was recorded.

A. Feldman stated that in addition to his comment on page seven (7) regarding the burden of paying back the loan, he wished it noted that his concern was that the association this year would not be burdened with paying back the loan.

**VOTE ON MOTION**

**13/0/2**

**CARRIED**

## **5.0 CHAIRPERSON'S REMARKS**

M. Giles asked if anyone knew of another director who would be coming to the meeting as she had to leave at 7:00 p.m. It was mentioned that W. Jawad may arrive later.

## **6.0 BUSINESS**

### **6.1 Motion to Set Dates for Referendum & Constitutional Amendments**

L. Grimes apologized that all her motions were oral.

#### **Motion 632**

**BE IT RESOLVED THAT a referendum be called February 15, 16, and 17, the question being: Do you accept this draft of the CUSA constitution to be provided by the constitution advisory body to replace the current constitution, and;**

**BE IT FURTHER RESOLVED THAT on the issue of a new CUSA constitution all members of the Board of Directors and the Executive be free to comment, contribute and campaign without prejudice to their position on the CUSA Board of Directors of Executive.**

Moved by: L. Grimes  
Seconded by: G. Grenier

L. Grimes stated that basically a new constitution will be presented to the students and they would be asked if they wish the new constitution to replace the existing one.

A. Feldman asked to what extent there would be public debate regarding the new constitution, prior to that body of articles being presented, and will the actual draft constitution come to the board.

L. Grimes stated that she is asking the Board to secure the dates for the referendum so that a deadline can be set for anyone wishing to participate in the Constitution Advisory Board, and so that students can be alerted to keep their ears open.

L. Grimes stated that before Christmas, Board members were asked to submit suggestions if they so desired. She added that a deadline of January 10th for submissions was published in the agenda sections of the newspapers. She also stated that this deadline has been extended by another notice in the agendas stating that every night from Monday January 17, 1994 to Friday January 21, 1994 at Sir George Williams campus, and every night from Monday January 24, 1994 to Friday January 28, 1994 at Loyola, at 7:30 p.m., any person who has written or oral submissions regarding the constitution may deliver them and enter the debate of the section being discussed.

L. Grimes stated that she plans to bring a draft of the constitution to the students by the beginning of February, so that from February 1, 1994 to February 14, 1994 there can be intense debate, disclosure and discussion of all the amendments.

L. Grimes stated that she wished to make it simple for the average student to understand the essence of the constitution, what is being radically amended, and the direction the constitution is going to go in.

L. Grimes stated she wished great care in writing the constitution so as to avoid the whole document falling apart if one article is defeated. She also stated she wished the strategy to be properly in place so the document will be accepted as a whole.

L. Grimes stated that in writing the constitution the final test would be to give the document to a ten (10) year old and ask him/her to read it and explain it, and if it is clear it will certainly be able to be worked with by the average student.

A. Feldman asked if the draft will be brought to the Board.

L. Grimes stated that it could, but that the second part of the motion enables Board members to contribute. She also stated that if the writing of the new constitution was to become a project of the Board, each member

would have to come to the meetings and there would have to be quorum.

L. Grimes stated that she was unsure if the Board should be involved in a formal way. She stated that she was unsure if she or the Board would have the energy to meet every night and debate the document.

A. Feldman stated that he did not want to imply that the Board would actually endorse the constitution, but that they would agree on the document presented to the students.

L. Grimes stated that the distinction she would like to make is that the Board would not have to agree with the constitution, only with the wording.

J. Carruthers asked if the constitutional referendum will coincide with the Red Cross referendum.

L. Grimes replied that she does not know the intentions of the Red Cross committee, or the intentions of the Board with respect to the Red Cross question. She stated she knows that something has been brought to the Judicial Board, but does not know what the proceedings are.

J. Carruthers asked if there is going to be an advisory board set up to look at the constitution.

L. Grimes replied the Constitution Advisory Board is basically the name given to the project, that it is not a formal group, and anyone who chooses to attend one of the meetings is part of the Advisory Board. She added that the project was being directed by herself, and expressed the wish that others be present to guide and help her.

J. Carruthers asked what the relation between her and the Judicial Board was and if re-writing the constitution was not in the sphere of the Judicial Board. L. Grimes replied if the Judicial Board wished to write another option, they could do so, or if the Judicial Board wishes to help out with this version, they could do so as well. She added that the invitation has gone out to everyone equally, regardless of any other commitment they may have.

H.O. Cohen stated that since the constitution was adopted eleven (11) years ago, and since it has been amended several times over the years, it shouldn't be a problem to revamp it or amend it one more time.

L. Grimes stated that this is not a revamping or amending, but a completely new re-writing of the constitution. There will be very few similarities to the old constitution. There will not be an effort to fix what isn't broken, but the old constitution will be looked at very critically.

P. Dalton stated that if these dates are passed there will have to be an amendment to the current constitution to allow for the general elections to be held outside the period of the referendum.

P. Dalton stated that he feels this to be a valuable exercise, and that he hopes that everybody will contribute in

some way.

P. Dalton stated that if the CUSAcop business is attended to, the Board will have to pass another bylaw to the constitution which would have to go to referendum because it has to do with CUSA and the subsidiary. He added that there are many elements that have to get into the constitution.

P. Dalton stated that any articles anyone is particularly attached to should be in the constitution, such as the structure of the executive and the function of the Judicial Board, and urged the members to look over the constitution and submit a one page brief.

C. Viera asked who would be drafting the constitution. L. Grimes replied that the drafting is an ongoing process. The concepts are coming from thought on her part as well as Daniel Leibu's, items in the current constitution and the constitutions of other universities, other people outside the university with whom she has talked, Francois Longpre the association's lawyer, and draft documents that were given to her by people who left the university. She added that the actual wording will be a constitutional legalese, keeping in mind that it has to be a user-friendly, and the final draft has to be read by a lawyer to make sure it is sound. The consistent drafters are herself and Daniel Leibu.

C. Viera asked if the constitution will be checked by a lawyer. L. Grimes replied that it absolutely would, and that everything would be tight and in accordance with the various Companies' Acts, etc.

C. Viera asked that since the general elections would have to be postponed, what sort of cost would be incurred by CUSA. L. Grimes replied that the cost would be that of three (3) days of voting on both campuses which entails poll clerks and a CRO. She added that no expense should be spared on this project, and that the money could be raised if it came down to that. She added that she did not expect the expense to be huge. The greatest cost would be in the amount of paper that will have to be handed out to students.

L. Grimes stated corporate sponsorship could be acquired, or fundraising activities such as bake sales could be held. She is not sure what the dollar figure will be, but she is not prepared to drain the union.

C. Viera asked if these dates are approved, will the constitution be the only item of the referendum and that any subsequent referendums that groups come up with will be handled with the general elections. L. Grimes replied that any member of the association is able to collect five hundred (500) signatures and request a referendum question, but that she would debate against a referendum with the general election as she does not want students to be confused.

K. Blackburn asked if the Board will see the draft of the constitution. L. Grimes replied that the drafting is an

open process, and she would like the debate to take place during the drafting rather than afterwards. She also stated that Board members were alerted a long time ago that this process would occur.

K. Blackburn stated that if the CUSA constitution is going to change, more than two (2)

people's minds should affect that change.

L. Grimes stated that the process is open, and that Board members opinions were wanted.

K. Blackburn stated that it is for that reason the Board should be presented with the constitution properly.

L. Grimes asked if it would be possible for the Board to digest the new constitution in a three (3) hour Board meeting. Perhaps it would be better to deposit changes in the members mailboxes and get feedback.

K. Blackburn asked if massive changes or small changes were being discussed. He stated that he recalled D. Leib was interested in replacing CUSA with a new type of association last year. He added that one item that came to mind was the idea of having only one president.

The chair asked if this question was germane to the motion.

L. Grimes stated that she was only interested in the securing of the dates.

K. Blackburn asked if securing these dates in February would necessitate another month in office for the co-presidents. L. Grimes stated that the co-presidential term ends March 31, 1994, unless there are suggested changes in the term in the new constitution, but that is to be decided by the students.

K. Blackburn asked if CUSA was going to pay for the referendum and the general elections, considering the association's financial situation.

L. Grimes repeated that she had no desire to drain the association. She asked that the dates be secured and a decision made regarding funding, so she will know if she has to raise money and find volunteers.

The chair stated that this motion will secure the dates, but by her understanding there will be another motion to approve a CRO and a budget for the referendum, which can be moved at another meeting.

K. Blackburn stated that he wanted to know if the Board would see a report from the Judicial Board before committing to the referendum.

The chair stated that through this motion no financial commitment is being made.

A. Kennedy asked when the final draft of the constitution will be finished.

L. Grimes replied the last day of January.

A. Kennedy asked if the first two weeks of February would be spent informing the students of the reasons why the constitution should be changed by publicizing in the newspapers. L. Grimes replied that the reasons will be made very public by use of the newspapers as well as heavy campaigning at lunchtimes, on the mezzanine, the residences, etc.

(Time 6:50)

L. Podgurny stated that he was at the last Advisory Board meeting and that there was a lot of debate. He added that anyone's input is good, the Board has total access to the document, and regarding the money, a new constitution is needed, and a referendum is part of that.

L. Podgurny stated that February is a good time for the referendum, and that the constitution should be the only question on it. He added that highlights of the debate would be a good idea for those who cannot make all the meetings, and that keeping track of the discussion is also a good idea so that when a point comes up it is easy to see how it was arrived at.

#### **MOTION TO CLOSE THE SPEAKERS LIST.**

Moved by: K. McMurray

Seconded by: L. Podgurny

#### **VOTE ON MOTION TO CLOSE THE SPEAKERS LIST**

**UNANIMOUS**

P. Batchoun asked why it was not possible to hold the constitutional referendum and the general elections at the same time. L. Grimes replied that the issues would be confused and neither project will be served.

A. Feldman stated that he was glad that in the interest of democracy the general elections and the constitution would not occur at the same time, considering that the general election would take attention away from constitutional debate. He added that he supports the idea of sponsorship, and that CUSA should not balk at the cost as a strong constitution will very likely save money in the future.

J. Carruthers stated that the referendum question gives the student two choices, either the new or the old

constitution. He asked what would happen in the case of alternative suggestions, who would decide which idea is presented. L. Grimes replied that through the process of debate, a consensus regarding a point can usually be arrived at.

P. Dalton stated that at any time a student may appear with a new constitution and five hundred signatures at request a referendum, and if the students accept it, the association will have a new constitution. He repeated that this can happen at any time, by any group.

P. Dalton stated that the Board is being asked to reserve dates and potentially commit money. He stated that there is a certain amount of involvement that should be undertaken by the Board. He asked if the Board is willing to commit to the dates and the funds, would it be willing to devote time to going through the draft of the new constitution at the end of January, once all the briefs have been submitted and the final writing has been provided.

P. Dalton stated that he felt the people who spent time writing the constitution were confident that the students would vote for it. He stated that the first litmus test for the constitution could be taking it through the Board. He added that if it gets through the Board, and the commitment for the funds is there, the referendum can proceed.

P. Dalton stated that the only thing that changes if the referendum fails; is that the general elections will be held in March instead of February. He added that a constitutional amendment is needed to allow the general elections to take place in March. He also stated that he felt the issue of funds should be brought up, since it seems illogical to hold bake sales.

C. Viera asked if the constitutional referendum question would be effective immediately if it passed.

L. Grimes replied that it would, but that the document would be run by a lawyer, to determine if it is legally possible for all the articles to be effective immediately.

C. Viera asked who would be the group putting forth the new constitution. L. Grimes replied that there would be a YES Committee for the new constitution as drafted by the Constitution Advisory Board.

C. Viera asked if the Board members necessarily have to have any involvement with the drafting of the new constitution. L. Grimes replied that the second part of the motion freed Board members to involve themselves as they pleased, either contributing, not contributing or campaigning against the new constitution.

C. Viera stated that if Board members contribute it is as students, so it is therefore not necessary for the Board to ratify it.

C. Viera stated that since the referendum is not a CUSA Board of Directors referendum it is not necessary for the draft of the constitution to be approved by the Board. There is no need for approval by the Board since the question is that of the YES Committee.

L. Podgurny asked if the YES Committee would not have to come up with five hundred (500) signatures.

L. Grimes stated that a referendum may be brought about by either a motion of the Board or five hundred (500) signatures. She added that if the Board does not want to pass this motion she will collect signatures.

L. Podgurny asked if the Board must accept the question brought by the five hundred (500) signatures. L. Grimes stated that the Board gives the question to the CRO who looks at the question to determine if it is biased.

The chair stated that since the Speakers' List is closed, the motion should be voted upon. She asked that the question be reread.

**BE IT RESOLVED THAT a referendum be called February 15, 16, 17, 1994, the question being do you accept this draft of the CUSA constitution to replace the current constitution as amended May 17, 1993, to be provided by the Constitution Advisory Board.**

**BE IT FURTHER RESOLVED THAT on the issue of the new CUSA constitution all members of the Board of Directors and the Executive be free to comment, contribute and campaign without prejudice to their position on the CUSA Board of Directors and the Executive.**

L. Podgurny stated that if the Board votes yes on this motion, then there will be a referendum, and the Board is deciding now what the question will be. It is the Board which is giving the OK to ask that question.

**VOTE ON MOTION**

**14/2/0**

**CARRIED**

P. Dalton stated that the point cannot possibly be finished, because in doing what was just done, the election dates have not been set, and according to the constitution that still binds the association, CUSA will be outside the correct time frame for the nomination and campaign period etc. unless dates are set tonight.

L. Grimes stated she believes the Judicial Board can provide answers to this problem.

P. Dalton stated that a constitutional amendment was still necessary in order to hold the general election in March.

The chair stated that she believes the question to be whether or not this motion has to be presented now or if it can be presented following a report from the Judicial Board.

K. McMurray asked if this could not be presented at the next regular meeting since the dates for the referendum have already been set.

A. Feldman stated that no constitutional amendments can be made, because the approval of two-thirds of seated directors is needed.

The chair recommended another chair be nominated.

(Time 7:15)

**BE IT RESOLVED THAT L. Podgurny act as chair for the remainder of the meeting.**

Moved by : P. Dalton

Seconded by: C. Viera

**VOTE ON MOTION 13/0/3**

**CARRIED**

The chair suggested calling a recess, and that the meeting should proceed informally until 8:30 pm.

C. Viera stated that it would be greatly beneficial if all the Board members submitted their schedules to Helen.

**BE IT RESOLVED THAT the meeting be recessed until 8:30 pm.**

Moved by: P. Dalton

Seconded by: G. Grenier

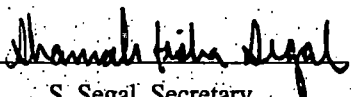
**VOTE ON MOTION**

**UNANIMOUS**

**8.0 MOTION TO ADJOURN**

Quorum was not achieved after the recess. This meeting was informally adjourned at 8:30 pm.

\_\_\_\_\_  
M. Giles/ L. Podgurny, Acting Chairperson

  
S. Segal, Secretary